

**Minutes of Meeting
BOARD FOR CONTRACTORS
INFORMAL FACT-FINDING CONFERENCES
December 20, 2006 (9:00 a.m.)**

The Board for Contractors convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act

Mark Kinser, Board member, presided. Jack Miller, Board member, observed. No other Board members were present.

Jennifer Kazzie appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the Summaries or Consent Orders are attached unless no decision was made.

Disc = Disciplinary Case
Lic = Licensing Application
RF = Recovery Fund Claim
Trades = Tradesmen Disciplinary Case/Application

C = Complainant/Claimant
A = Applicant
R = Respondent/Regulant
W = Witness
Atty = Attorney

Participants

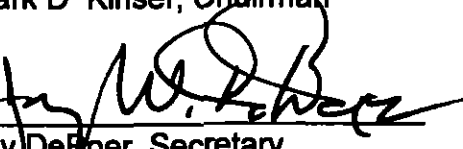
- | | |
|---|--|
| 1. Curtis Bernard Cooper
t/a The Concrete Man
File Number 2006-02503 (Disc) | Cooper – R |
| 2. Dennis Lane Burris Jr
t/a Burris Construction and Remodeling
File Number 2006-04199 (Disc)
(NO DECISION MADE) | None |
| 3. Montebello Enterprises Inc.
File Number 2006-02556 (Disc) | Hector Andrade – R
Mark Valcich – C |
| 4. C & S Renovations Inc.
File Number 2006-04725 (Disc)
(NO DECISION MADE) | David Kirchner – C
Deborah Kirchner – C |
| 5. C & S Renovations Inc.
File Number 2006-02569 (Disc)
(NO DECISION MADE) | Richard Cogan – C |

The meeting adjourned at 2:15 p.m.

BOARD FOR CONTRACTORS



Mark D. Kinser, Chairman



Jay DeBoer, Secretary

COPY TESTE.

Custodian of Records

**IN THE
COMMONWEALTH OF VIRGINIA
BOARD FOR CONTRACTORS**

Re: Curtis Bernard Cooper, t/a The Concrete Man
Richmond, VA 23219

File Number 2006-02503
License Number 2705090992

CONSENT ORDER

Respondent Curtis Bernard Cooper, t/a The Concrete Man ("Curtis Bernard Cooper") recognizes and acknowledges being subject to and bound by the Regulations of the Board for Contractors ("Board"), as well as by all other applicable Virginia laws.

Board's Regulations provides:

18 VAC 50-22-200. Remedial education, revocation or suspension; fines.

The board may require remedial education, revoke or suspend a license or fine a licensee when a licensee has been found to have violated or cooperated with others in violating any provision of Chapter 11 (§ 54-1-1100 et seq.) of Title 54-1 of the Code of Virginia, or any regulation of the board

Historical Notes

Derived from VR220-01-2 1 §5 1, eff March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001

Pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended:

On October 30, 2006, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to Curtis Bernard Cooper ("Cooper"), t/a The Concrete Man, to the address of record. The certified mail was not returned by the United States Postal Service. The Notice was also mailed, via certified mail, to Cooper at 1007 West Nine Mile Road, Apt. L, Highland Springs, Virginia 23075. The certified mail was acknowledged as received.

The Notices included the Report of Findings, which contained the facts regarding the regulatory and/or statutory issues in this matter.

On November 14, 2006, a letter rescheduling the Informal Fact-Finding Conference ("IFF") was mailed, via certified mail, to Cooper at the address of record. The certified mail was returned by the United States Postal Service, marked "Unclaimed." The letter was also mailed, via certified mail, to Cooper at 1007 West Nine Mile Road, Apt L, Highland Springs, Virginia 23075. The certified mail was acknowledged as received.

On December 20, 2006, an IFF was convened at the Department of Professional and Occupational Regulation.

The following individuals participated at the IFF: Curtis Cooper, Respondent, Jennifer Kazzie, Staff Member; Jack Miller, Observing Board Member, and Mark Kinser, Presiding Board Member. Neither Cooper, Respondent, nor anyone on his behalf appeared at the IFF.

During the IFF, Cooper provided a copy of his revised contract and a completed change of address form.

The Amended Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order

The Board and Curtis Bernard Cooper, as evidenced by the signatures affixed below, enter into this Consent Order. Curtis Bernard Cooper knowingly and voluntarily waives any further proceedings in this matter under Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

By signing this Consent Order, Curtis Bernard Cooper acknowledges an understanding of the charges and hereby admits to the violation(s) of the Counts as outlined in the Amended Report of Findings. Curtis Bernard Cooper consents to the following term(s):

	Count 1	18 VAC 50-22-230 A	\$100.00
	Count 2	18 VAC 50-22-260 B 9	\$100.00
	Count 3	18 VAC 50-22-260 B 31	\$100.00
	Count 4	18 VAC 50-22-230.B	\$0.00

	TOTAL MONETARY PENALTIES		\$300.00

In addition, for violation of Count 4, Curtis Bernard Cooper agrees to report his current mailing and/or physical address to the Board, in writing, within thirty (30) days of the effective date of this order

Further, for violation of Counts 1, 2, 3, and 4, Curtis Bernard Cooper agrees to have a member of the Responsible Management successfully complete a Board-approved remedial education class.

Curtis Bernard Cooper also agrees to pay \$300.00 in Board costs.

Any monetary penalties, costs, and/or sanctions are to be paid/performed within ninety days of the effective date of this consent order unless otherwise specifically noted above. Curtis Bernard Cooper acknowledges any monetary penalty and costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, Curtis Bernard Cooper will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in Section 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due.

Curtis Bernard Cooper acknowledges that failure to pay any monetary penalty or cost and/or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of Curtis Bernard Cooper's license until such time as there is compliance with all terms of this Order. Curtis Bernard Cooper understands the right to have this automatic suspension considered in an IFF pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

The effective date of this Order shall be the date of execution by the Board.

SEEN AND AGREED TO

Curtis Bernard Cooper
t/a The Concrete Man

Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this _____ day of _____,
2006.

Notary Public

My Commission Expires _____

SO ORDERED:

Entered this _____ day of _____, 2006.

Board for Contractors

BY _____
Jay W. DeBoer, Secretary

EOO

**VIRGINIA DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL REGULATION
COMPLIANCE & INVESTIGATIONS DIVISION
3600 WEST BROAD STREET
RICHMOND, VA 23230-4917**

AMENDED REPORT OF FINDINGS

BOARD: Board for Contractors
DATE: March 29, 2006 (revised September 26, 2006 and October 26, 2006); amended December 20, 2006

FILE NUMBER: 2006-02503
RESPONDENT: Curtis Bernard Cooper, t/a The Concrete Man
LICENSE NUMBER: 2705090992
EXPIRATION: April 30, 2007

SUBMITTED BY: Renee H Popielarz and Ileana Thomas
APPROVED BY: E. Wayne Mozingo and Bonnie Rhea Adams

COMMENTS:

On November 10, 2005, Joy Moore fired Curtis Bernard Cooper.

Curtis Bernard Cooper ("Cooper"), t/a The Concrete Man, was at all times material to this matter a licensed Class C contractor in Virginia (No 2705090992).

Based on the analysis and/or investigation of this matter, there is probable cause to believe the respondent has committed the following violation(s) of the Code of Virginia and/or Board's regulation(s):

BACKGROUND:

On November 23, 2005, the Compliance & Investigations Division of the Department of Professional and Occupational Regulation received a written complaint from Joy E. Moore ("Moore") regarding Cooper and Cooper & Cooper Inc. (Exh. C-1)

On August 27, 2005, Cooper & Cooper Inc. entered into a written contract, in the amount of \$2,000.00, with Moore to install a driveway at 2701 Susten Court, Richmond, Virginia 24112. The contract was signed by Curtis Cooper on behalf of Cooper & Cooper Inc. The contract indicated license number 2705090992 and had "The Concrete Man" printed at the top of the contract under Cooper & Cooper Inc. (Exh. C-2)

On August 28, 2005, Cooper commenced work by setting up boards and digging (Exh. C-1)

On August 28, 2005, Moore paid Cooper \$500.00 in cash. (Exh. C-1 and C-3) (NOTE: The receipt incorrectly indicates August 27, 2005.)

On April 23, 2005, Cooper was issued Class C contractor's license number 2705090992 as a sole proprietorship. Curtis Bernard Cooper, individual tracking number 2706145371, is the Qualified Individual and Responsible Management for license number 2705090992 (Exh. I-8)

1. Board Regulation

18 VAC 50-22-230. Change of name or address.

- A A licensee must operate under the name in which the license is issued. Any name change shall be reported in writing to the board within 30 days of the change. The board shall not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's not having reported a change of name.

Historical Notes

Derived from VR220-01-2.1 §5 4, eff March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001

FACTS:

On January 9, 2006, a search of the records of the State Corporation Commission revealed no registration for Cooper & Cooper Inc. current or connected to Cooper. (Exh. I-9)

On February 15, 2006, Cooper stated that the name Cooper & Cooper Inc. was something his son had done to make him sound more professional (Exh. I-2)

2. Board Regulation

18 VAC 50-22-260. Filing of charges; prohibited acts.

- B. The following are prohibited acts:

9. Failure of those engaged in residential contracting as defined in this chapter to comply with the terms of a written contract which contains the following minimum requirements:

- b. A statement of the total cost of the contract and the amounts and schedule for progress payments including a specific statement on the amount of the down payment;
- f. Disclosure of the cancellation rights of the parties;
- h. Contractor's name, address, license number, expiration date, class of license, and classifications or specialty services; and

Historical Notes:

Derived from VR220-01-2 1 §5 7, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001

FACTS:

The contract used by Cooper in the transaction failed to contain subsection f. The contract also failed to specify a payment schedule as required by subsection b. and the contractor's address as required by subsection h. (Exh. C-2)

On February 15, 2006, Cooper stated that he was not aware of the contract requirements would correct his contract. (Exh. I-2)

3. Board Regulation

18 VAC 50-22-260. Filing of charges; prohibited acts.

B. The following are prohibited acts:

- 31 Failure to obtain written change orders, which are signed by both the consumer and the licensee or his agent, to an already existing contract.

Historical Notes:

Derived from VR220-01-2 1 §5 7, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001.

FACTS:

The contract specified Cooper was installing a driveway and the estimated completion date was September 27, 2005. The contract also specified, "Any modification to this contract which changes the cost, materials, work to be performed, or the estimated completion date must be made in writing and signed by all parties." (Exh. C-2)

When Moore asked Cooper about a permit, Cooper claimed he did not have time to get the permit. Moore agreed to get the permit and, in exchange, Cooper would take the cost of the permit off the contract. (Exh. C-1)

After an inspection, Cooper claimed he could not pour the driveway until the curb was broken out, more gravel was laid, and more was dug down. (Exh. I-2)

On October 1, 2005, Moore rented an electric jackhammer from Rental Works. (Exh. C-5)
On the same day, aggregate was picked up from Luck Stone Corporation. (Exh. C-6)
Since Moore returned the jackhammer, Cooper had to finish breaking the curb with a sledge hammer and a pick. Cooper broke up the 8" to 9" thick curb and set up the driveway to be ready to pour. (Exh. I-2)

On February 15, 2006, Cooper admitted that he did not use a written change order for an extension of time or for the curb work.

4. Board Regulation

18 VAC 50-22-230. Change of name or address.

- B. Any change of address shall be reported in writing to the board within 30 days of the change. The board shall not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's not having reported a change of address.**

Historical Notes

Derived from VR220-01-2 1 §5.4, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001.

FACTS:

On July 25, 2006, Legal Analyst Ileana Thomas ("Board's Agent") contacted Cooper by phone at (804) 200-2301. Cooper stated that his new address is 1007 West Nine Mile Road, Apt. L, Highland Springs, Virginia 23075. The Board's agent sent Cooper a change of address form. (Exh. I-13)

On September 21, 2006, the Highland Springs Postmaster certified Cooper receives mail at 1007 West Nine Mile Road, Apt. L, Highland Springs, Virginia 23075. (Exh. I-12)

On September 26, 2006, the licensing records of the Board for Contractors revealed the address for Cooper was still One North Third Street, Richmond, Virginia 23219. (Exh. I-8)

Cooper failed to report, in writing, to the board within thirty (30) days of a change of his address.

**IN THE
COMMONWEALTH OF VIRGINIA
BOARD FOR CONTRACTORS**

Re: Montebello Enterprises Inc, t/a Montebello Enterprises Inc
Woodbridge, VA 22191

File Number 2006-02556
License Number 2705090980

CONSENT ORDER

Respondent Montebello Enterprises Inc, t/a Montebello Enterprises Inc ("Montebello Enterprises Inc") recognizes and acknowledges being subject to and bound by the Regulations of the Board for Contractors ("Board"), as well as by all other applicable Virginia laws.

Board's Regulations provides:

18 VAC 50-22-200. Remedial education, revocation or suspension; fines.

The board may require remedial education, revoke or suspend a license or fine a licensee when a licensee has been found to have violated or cooperated with others in violating any provision of Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia, or any regulation of the board.

Historical Notes

Derived from VR220-01-2 1 §5.1, eff. March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001

Pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended:

On October 30, 2006, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to Montebello Enterprises Inc. ("Montebello") to the address of record. The certified mail was returned by the United States Postal Service, marked "Forwarding Time Expired, Return to Sender" and indicated a forwarding address of 14007 Roanoke Street, Woodbridge, Virginia 22191-2418.

On November 14, 2006, a letter rescheduling the Informal Fact-Finding Conference ("IFF") was mailed, via certified mail, to Montebello at 14007

Roanoke Street, Woodbridge, Virginia 22191-2418 The letter included the Notice The certified mail was acknowledged as received.

The Notice included the Report of Findings, which contained the facts regarding the regulatory and/or statutory issues in this matter.

On December 20, 2006, an Informal Fact-Finding Conference ("IFF") was convened at the Department of Professional and Occupational Regulation.

The following individuals participated at the IFF. Hector Andrade ("Andrade"), on behalf of Montebello, Respondent; Mark Valcich ("Valcich"), Complainant, Jennifer Kazzie, Staff Member; Jack Miller, Observing Board Member, and Mark Kinser, Presiding Board Member.

Following the IFF, Andrade provided a completed change of address form.

The Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, is incorporated with the Consent Order.

The Board and Montebello Enterprises Inc, as evidenced by the signatures affixed below, enter into this Consent Order. Montebello Enterprises Inc knowingly and voluntarily waives any further proceedings in this matter under Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

By signing this Consent Order, Montebello Enterprises Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Counts as outlined in the Report of Findings. Montebello Enterprises Inc consents to the following term(s):

	Count 1	18 VAC 50-22-260.B.9	\$200.00
	Count 2	18 VAC 50-22-260.B.14	\$300 00
	Count 3	18 VAC 50-22-260.B.16	\$300.00
	Count 4	18 VAC 50-22-260.B.28	\$300 00
	Count 5	18 VAC 50-22-230 B	\$0.00

	TOTAL MONETARY PENALTIES		\$1,100.00

In addition, for violation of Counts 3 and 4, Montebello Enterprises Inc agrees to revocation of its license

In addition, the Board shall waive imposition of the \$300 00 monetary penalty and license revocation for Counts 3 and 4 provided Montebello Enterprises Inc satisfies the judgment and provides the Board with proof of the satisfaction within six (6) months of the effective date of this order. If Montebello Enterprises Inc fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Further, for violation of Counts 1, 2, 3, 4, and 5, Montebello Enterprises Inc agrees to have a member of the Responsible Management successfully complete a Board-approved remedial education class.

Montebello Enterprises Inc also agrees to pay \$500.00 in Board costs.

Any monetary penalties, costs, and/or sanctions are to be paid/performed within ninety days of the effective date of this consent order unless otherwise specifically noted above. Montebello Enterprises Inc acknowledges any monetary penalty and costs as a debt to the Commonwealth and agrees that in the event of a default, or the return of a check for insufficient funds, Montebello Enterprises Inc will be responsible for a penalty fee of 10% and interest at the underpayment rate prescribed in Section 58.1-15 of the 1950 Code of Virginia, as amended, and for all reasonable administrative costs, collection fees, or attorney's fees incurred in the collection of whatever funds are due

Montebello Enterprises Inc acknowledges that failure to pay any monetary penalty or cost and/or to comply with all terms of this Order within the specified time period, shall result in the automatic suspension of Montebello Enterprises Inc's license until such time as there is compliance with all terms of this Order. Montebello Enterprises Inc understands the right to have this automatic suspension considered in an IFF pursuant to the Administrative Process Act §§2.2-4019 and 2.2-4021 of the 1950 Code of Virginia, as amended, but knowingly and voluntarily waives any rights to the proceeding and hereby waives any further proceedings under the Administrative Process Act §§2.2-4020 and 2.2-4021 of the 1950 Code of Virginia, as amended.

The effective date of this Order shall be the date of execution by the Board.

SEEN AND AGREED TO:

Montebello Enterprises Inc
t/a Montebello Enterprises Inc

Date

Printed Name and Title of Person Signing on behalf of Entity

CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA

Sworn and subscribed before me this _____ day of _____,
2006.

Notary Public

My Commission Expires. _____

SO ORDERED:

Entered this _____ day of _____, 2006.

Board for Contractors

BY: _____
Jay W. DeBoer, Secretary

EOO

**VIRGINIA DEPARTMENT OF PROFESSIONAL
AND OCCUPATIONAL REGULATION
COMPLIANCE & INVESTIGATIONS DIVISION
3600 WEST BROAD STREET
RICHMOND, VA 23230-4917**

REPORT OF FINDINGS

BOARD: Board for Contractors
DATE: August 2, 2006 (revised October 26, 2006)

FILE NUMBER: 2006-02556
RESPONDENT: Montebello Enterprises, Inc.
LICENSE NUMBER: 2705090980
EXPIRATION: January 31, 2007

SUBMITTED BY: Sherell Queen
APPROVED BY: David Domer

COMMENTS.

The State Corporation Commission records indicate Montebello was terminated on May 2, 2005

Montebello Enterprises, Inc. ("Montebello") was at all times material to this matter a licensed Class B contractor in Virginia (No. 2705090980).

Based on the analysis and/or investigation of this matter, there is probable cause to believe the respondent has committed the following violation(s) of the Code of Virginia and/or Board's regulation(s):

BACKGROUND:

On November 28, 2005, the Compliance & Investigations Division of the Department of Professional and Occupational Regulation received a written complaint from Mark Valcich ("Valcich") regarding Montebello. (Exh. C-1)

On August 18, 2005, Montebello entered into a written contract, in the amount of \$7,849.43, with Valcich to renovate 9917 Airedale Court, Bristow, Virginia 20136. (Exh. C-2)

1 Board Regulation

18 VAC 50-22-260. Filing of charges; prohibited acts.

B. The following are prohibited acts:

- 9 Failure of those engaged in residential contracting as defined in this chapter to comply with the terms of a written contract which contains the following minimum requirements.**
- a. When work is to begin and the estimated completion date;**
 - e. A statement of assurance that the contractor will comply with all local requirements for building permits, inspections, and zoning;**
 - h. Contractor's name, address, license number, expiration date, class of license, and classifications or specialty services; and**
 - i. Statement providing that any modification to the contract, which changes the cost, materials, work to be performed, or estimated completion date, must be in writing and signed by all parties.**

Historical Notes

Derived from VR220-01-2 1 §5 7, eff. March 31, 1995; amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001.

Print Date August 1, 2005

FACTS.

The contract used by Montebello in the transaction failed to contain subsections. a., e., and i. The contract also failed to include the contractor's license information as required by subsection h. (Exh. C-2)

2. Board Regulation

18 VAC 50-22-260. Filing of charges; prohibited acts.

B. The following are prohibited acts:

- 14. Abandonment (defined as the unjustified cessation of work under the contract for a period of 30 days or more)**

Historical Notes

Derived from VR220-01-2 1 §5.7, eff. March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001

Print Date August 1, 2005

FACTS:

On September 18, 2005, Montebello commenced work. Montebello completed partial framing of a room. Montebello promised to return to complete the framing. (Exh. I-6)

Between September 18, 2005, and November 25, 2005, Valcich made weekly calls to Montebello regarding completion of the work. Montebello made promises to return to complete the work. (Exh. I-6)

The last day Montebello performed work at the subject property was September 18, 2005. (Exh. I-6)

As of June 21, 2006, Montebello failed to complete work at the subject property. (Exh. I-6)

3 Board Regulation

18 VAC 50-22-260. Filing of charges; prohibited acts.

B. The following are prohibited acts:

16. The retention or misapplication of funds paid, for which work is either not performed or performed only in part.

Historical Notes

Derived from VR220-01-2 1 §5 7, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff. September 1, 2001

Print Date: August 1, 2005

FACTS:

In addition to the facts outlined in Count 2:

On August 18, 2005, Valcich paid Montebello \$3,924.71 by check. (Exh. C-3)

Valcich verbally requested a refund over the phone, and through a complaint filed with the Better Business Bureau. (Exh. I-6)

On March 14, 2006, Valcich filed a civil suit in Prince William County General District Court. (Exh. I-6)

As of June 21, 2006, Montebello failed to refund money received for work not performed or performed only in part. (Exh. I-6)

4 Board Regulation

18 VAC 50-22-260. Filing of charges; prohibited acts.

B. The following are prohibited acts:

28. Failure to satisfy any judgments

Historical Notes

Derived from VR220-01-2 1 §5 7, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001

Print Date. February 1, 2006

FACTS:

On June 13, 2006, in the Prince William County General District Court, Valcich was awarded a \$3,924.71 judgment against Montebello. (Exh C-4)

As of June 21, 2006, Montebello failed to satisfy the judgment. (Exh. I-6)

5 Board Regulation

18 VAC 50-22-230. Change of name or address.

B. Any change of address shall be reported in writing to the board within 30 days of the change. The board shall not be responsible for the licensee's failure to receive notices or correspondence due to the licensee's not having reported a change of address.

Historical Notes

Derived from VR220-01-2 1 §5 4, eff March 31, 1995, amended, Virginia Register Volume 17, Issue 21, eff September 1, 2001.

Print Date February 1, 2006

FACTS:

On June 8, 2006, Investigator Sherell Queen, the Board's agent, sent a written request, via certified mail, to Montebello at the address of record of 1607 Maurice Drive, Woodbridge, Virginia 22191, requesting a written response and supporting documentation to the complaint filed with the Board. On June 13, 2006, the certified letter was returned to the

Board's agent by the United States Postal Service ("USPS") and indicated "tenant not known and unable to forward." (Exh I-2)

On June 15, 2006, the Woodbridge Postmaster certified Montebello was not known at 1607 Maurice Drive, Woodbridge, Virginia 22191. (Exh. I-3)

On July 17, 2006, the address of record for Montebello is 1607 Maurice Drive, Woodbridge, Virginia 22191. (Exh. I-5)

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1 Name Mark Kinser
2. Title: Presiding Board Member
- 3 Agency: Board for Contractors
- 4 Transaction: Informal Fact-Finding Conferences on December ²⁰~~19~~, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Mark Kinser
Signature

12/20/06
Date